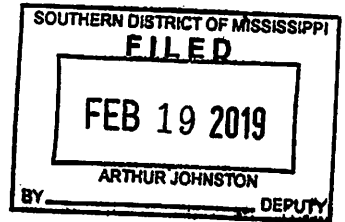


**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**COMPLAINT**



Coleman #K5716  
(Last Name) (Identification Number)  
Thomas Keith  
(First Name) (Middle Name)  
Central MS. Correctional  
(Institution)  
P.O. Box 88550/Karl MS. 39208  
(Address)

(Enter above the full name of the plaintiff, prisoner and address of plaintiff in this action)

V. CIVIL ACTION NUMBER: 1:19-cv-24-LG-RHW  
(to be completed by the Court)

Keith Howard, ET AL.

Bobby Fairley

John Moran

Terry Rodgers (see reverse)  
(Enter the full name of the defendant(s) in this action)

**GENERAL INFORMATION**

- A. At the time of the incident complained of in this complaint, were you incarcerated?  
Yes (X) No ( )
- B. Are you presently incarcerated?  
Yes (X) No ( )
- C. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?  
Yes (X) No ( )
- D. Are you presently incarcerated for a parole or probation violation?  
Yes (X) No ( )
- E. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?  
Yes (X) No ( )
- F. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?  
Yes (X) No ( )

## PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank.)

I. Name of plaintiff: Thomas Keith Coleman Prisoner Number: K5716  
Address: C.M.C.F / G, bldg / Bed 71, P.O Box 88550, Pearl MS.  
39208

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions and places of employment of any additional defendants.)

II. Defendant: Keith Havard is employed as Sheriff of George  
County 355 Cox st.  
at George County Sheriff Dept. Lucedale MS. 39452

The plaintiff is responsible for providing his/her address and in the event of a change of address, the new address of plaintiff as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

### PLAINTIFF:

NAME: Thomas K. Coleman #K5716 ADDRESS: C.M.C.F, G, bldg / bed 71, P.O Box 88550  
Pearl MS. 39208

### DEFENDANT(S):

NAME:	ADDRESS:
<u>Bobby Fairley / Warden</u>	<u>G.C.R.C.F 154 Industrial Park Rd. Lucedale MS. 39452</u>
<u>John Moran / Captain</u>	<u>G.C.R.C.F 154 Industrial Park Rd Lucedale MS. 39452</u>
<u>Terry Rodgers / Admin. Asst</u>	<u>G.C.R.C.F 154 Industrial Park Rd. Lucedale MS.</u>
<u>Derrick Eubanks / Head nurse</u>	<u>G.C.R.C.F 154 Industrial Park Rd. Lucedale MS.</u>
<u>Christy (last name U.K) nurse Asst.</u>	<u>G.C.R.C.F 154 Industrial Park Rd. Lucedale MS</u>

### OTHER LAWSUITS FILED BY PLAINTIFF

#### NOTICE AND WARNING

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any lawsuits in a court of the United States? Yes (X) No ( )
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse of this page or additional sheets of paper.)

#### CASE NUMBER 1.

1. Parties to the action: B.P (Defendant) / Thomas K. Coleman  
Nations Law Firm / Plaintiff's Attorney
2. Court (if federal court, name the district; if state court, name the county): 5th  
district / Houston Texas
3. Docket Number: 622000, SPC0022941 / A1 / 2016-B1234
4. Name of judge to whom case was assigned: Judge Barbier
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) Still Pending

#### CASE NUMBER 2.

1. Parties to the action: \_\_\_\_\_
2. Court (if federal court, name the district; if state court, name the county): \_\_\_\_\_
3. Docket Number: \_\_\_\_\_
4. Name of judge to whom case was assigned: \_\_\_\_\_
5. Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?) \_\_\_\_\_

### STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet(s) if necessary).

February 18, 2016 I fell off of a roof at my work breaking  
both ankles, several bones in my feet. After rehabilitation  
attempts it was found that I tore my left knee & needed  
surgery. April 17, 2017 that surgery was delayed because  
of infection in my left leg. April 27, 2017 I was  
arrested by George County Sheriff Department for allegedly  
kicking in a door to a home with intent to kidnap  
(see attachment)

### RELIEF

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

Because of George County Regional Correctional Facility's  
negligence I ask for one hundred and fifty thousand  
dollars for actual damages. This is the amount I lost  
when my workers compensation claim was turned (see attachment)

Signed this 29th day of January, 20 19.

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

T. C. L.  
Signature of plaintiff

~~II~~ an occupant of that home. I was rescheduled for surgery twice while in the custody of George County Regional Correctional Facility. The documentation I previously submitted was issued to the named defendants here. in and I was responded to with the answer "There's no money in the jails budget for your surgery".

I submitted several sick call request forms to Derrick Eubanks G.C.R.C.F Head nurse. I was told on several occasions my request had to go thru chain of Command starting with Administrative Assistant Terry Rodgers. I was then informed "it went up the pole" to Cpt. John Moran, then to Warden Bobby Fairley then ultimately to the Sheriff of George County himself, Keith Haward. These events took place between April 27, 2017 and December of 2017. I tried explaining that I had insurance and in no way would G.C.R.C.F be liable for the surgery, every time it was something different but Derrick Eubanks told me "it eventually boils down to the jail don't want to put out the money to pay for guards to have to transport me back & forth, sit with me while I was in the hospital, pay for my medications & the cost of my rehabilitation sessions." All of this was verbal of course, he said he "couldn't" officially address my concerns because he would lose his job!.

iv/ down by Jeff Moffett and Amfed insurance because I was unable to continue my necessary medical treatment with my Orthopedist Doctor, Henry Leise of Beinville Ortho. I'm requesting One hundred million dollars from each named defendant in their Individual and official capacity for Punitive Damages. Because of their negligence I did not receive the medical treatment I needed and it has, does and will forever more affect my ability for employment, my health as I'm unable to work out the way I did before and it will greatly interfere with my personal quality of life with my three sons as we are avid fishermen, car builders, and all around outdoors men.

I further request all named defendants here-in be reprimanded for misconduct; removed from their official capacity for inability to care for confined human beings.

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In reference to these attachments, I have provided for review a letter from Jeff Moffett, Attorney for Amfed Insurance to, James — wetzel, my worker comp. Attorney at the time.

I assert that the Medical findings from Dr. Leis are solely based on the fact, that I was no longer able to attend my medical treatment. There for Dr. Leis had no other option other than giving me the Maximum Medical Impairment rating he did; concluding that I would no longer need medical treatment as Dr. Leis did not know I was incarcerated; his orders where not being followed out of no fault of my own.

Again, as Jeff Moffett states in his closing paragraph I was still incarcerated; unable to make the arbitration

hearing set by James Wetzel in front of the Mississippi  
Workers Compensation Comunity enevitably forcing me to settle  
with no future medical bennifits, permiment disability ; far  
less compensation then I was intitled to for future disability